



Patent Application S.N. 09/877,395

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gardner *et al.* Date: April 17, 2003
Serial No.: 09/877,395 Docket No.: 033948-0102
Filed: June 8, 2001 Group Art Unit: 1635
Examiner: J. Angell

For: **MAMMALIAN GAMETE AND EMBRYO CULTURE MEDIA
SUPPLEMENT AND METHOD OF USING SAME**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on April 17, 2003.

Michelle Manning

(Name of applicant, assignee
or Registered Representative)

(Signature)

April 17, 2003

(Date of Signature)

AMENDMENT AND REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. § 1.111

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in reply to a non-final Office Action mailed November 20, 2002, in relation to the above-referenced application. The shortened three-month statutory period for response to the Office Action expired on February 20, 2002. Accordingly, with the granting of the accompanying petition for a two-month extension of time, Applicants believe that this response is timely filed.

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The Patent Office is hereby authorized to charge any fees required for this filing to deposit account number 50-2350. For the purpose of charging or crediting said deposit account, duplicates of page 1 and the signature page of this response are submitted herewith.

AMENDMENTS

Please cancel claims 17-20. Please amend claims 1, 10, 26, 30 and 33 as provided below. A clean copy of the amended claims follows and a marked-up version showing the changes is attached at the end of this document.

In the Claims:

B¹ 1. (Once Amended) A mammalian culture medium supplement comprising recombinant human albumin and fermented hyaluronan, wherein the supplement increases the viability of gametes or embryonic cells cultured in a medium containing the supplement, and further wherein the supplement is free from non-recombinant human albumin.

B² 10. (Twice Amended) A mammalian culture medium comprising recombinant human albumin and a medium that can support cell development, wherein the mammalian culture medium increases the viability of gametes or embryonic cells cultured in the mammalian culture medium, and further wherein the mammalian culture medium is free from non-recombinant human albumin.

26. (Twice Amended) A kit for supplementation of mammalian culture medium, comprising:

B³ (a) a medium comprising recombinant human albumin, and optionally one or more ingredients selected from the group consisting of mammalian culture medium, fermented hyaluronan, citrate and combinations thereof, wherein the medium increases the viability of gametes or embryonic cells cultured in the medium, and further wherein the medium is free from non-recombinant human albumin; and

(b) instructions for use of the kit.

B⁴ 30. (Twice Amended) A mammalian culture medium consisting essentially of:

(a) a medium that can support mammalian embryo or cell development;